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*Attorneys for Defendant Tom Varghese*

**UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY**

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IN TOUCH CONCEPTS, INC., d/b/a ZCOM,

*Plaintiff,*

-against-

(1) CELLCO PARTNERSHIP d/b/a  
VERIZON WIRELESS, (2) TOM  
VERGHESE, (3) RYAN BROOMES,  
(4) JORGE VELEZ, (5) ANTHONY  
FIOCCO, (6) BRUNO PAVLICEK, (7)  
AJAY BHUMITRA; (8) SHELLY  
BHUMITRA, (9) POONAM SAWNHEY;  
and, (10) JOHN/JANE DOE CELLCO  
PARTNERSHIP d/b/a VERIZON  
WIRELESS PERSONNEL ## 1-10, so  
named as their identities have yet to be  
established,

*Defendants.*

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**FILED ELECTRONICALLY**

**DOCKET NO.  
12-CV-00542 (PGS) (TJB)**

**NOTICE OF MOTION**

TO: Ravi Batra, Esq.  
Michael W. Kennedy, Esq.  
**The Law Firm Of Ravi Batra, P.C.**  
142 Lexington Avenue  
New York, NY 10016

**PLEASE TAKE NOTICE** that on September 4, 2012, or as soon thereafter as counsel may be heard, Defendant Tom Varghese, through his undersigned counsel, shall move before the United States District Court for the District of New Jersey for an Order dismissing the Plaintiff's First Amended Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) or, in the alternative, striking certain portions of the First Amended Complaint Pursuant to Federal Rule of Civil Procedure 12(f).

**PLEASE TAKE FURTHER NOTICE** that in support of this Motion, the Defendant shall rely upon the enclosed Brief.

**PLEASE TAKE FURTHER NOTICE** that oral argument is hereby requested in the event that this Motion is opposed.

A proposed form of Order is submitted for the Court's convenience.

/s/ William Gibson  
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Dated: June 22, 2012